

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 53

An Act to amend and reenact § 2.1-116 of the Code of Virginia, relating to the Virginia Personnel Act; exemption.

[H 443]

Approved March 4, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-116 of the Code of Virginia is amended and reenacted as follows:

- § 2.1-116. Certain officers and employees exempt from chapter.
The provisions of this chapter shall not apply to:
1. Officers and employees for whom the Constitution specifically directs the manner of selection;
 2. Officers and employees of the Supreme Court and the Court of Appeals;
 3. Officers appointed by the Governor, whether confirmation by the General Assembly or by either house thereof is required or not;
 4. Officers elected by popular vote or by the General Assembly or either house thereof;
 5. Members of boards and commissions however selected;
 6. Judges, referees, receivers, arbiters, masters and commissioners in chancery, commissioners of accounts, and any other persons appointed by any court to exercise judicial functions, and jurors and notaries public;
 7. Officers and employees of the General Assembly and persons employed to conduct temporary or special inquiries, investigations, or examinations on its behalf;
 8. The presidents, and teaching and research staffs of state educational institutions;
 9. Commissioned officers and enlisted personnel of the national guard and the naval militia;
 10. Student employees in institutions of learning, and patient or inmate help in other state institutions;
 11. Upon general or special authorization of the Governor, laborers, temporary employees and employees compensated on an hourly or daily basis;
 12. County, city, town and district officers, deputies, assistants and employees;
 13. The employees of the Virginia Workers' Compensation Commission;
 14. The following officers and employees of the Virginia Retirement System: retirement system chief investment officer, retirement system investment officer, retirement system assistant investment officer and investment financial analyst;
 15. Employees whose positions are identified by the State Council of Higher Education and the boards of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Jamestown-Yorktown Foundation, the Frontier Culture Museum of Virginia, the Virginia Museum of Natural History and The Library of Virginia, and approved by the Director of the Department of Personnel and Training as requiring specialized and professional training;
 16. Employees of the State Lottery Department;
 17. Production workers for the Virginia Industries for the Blind Sheltered Workshop programs; ~~and~~
 18. Employees of the Medical College of Virginia Hospitals and the University of Virginia Medical Center who are determined by the Department of Personnel and Training to be health care providers; however, any changes in compensation plans for such employees shall be subject to the review and approval of the Secretary of Education. Such employees shall remain subject to the provisions of Chapter 10.01 (§ 2.1-116.01 et seq.) of Title 2.1; ~~and~~
 19. In executive branch agencies the employee who has accepted serving in the capacity of chief deputy, or equivalent, and the employee who has accepted serving in the capacity of a confidential assistant for policy or administration. An employee serving in either one of these two positions, shall be deemed to serve on an employment at will basis. An agency may not exceed two employees who serve in this exempt capacity; ~~and~~
 20. *Employees of Virginia Correctional Enterprises. Such employees shall remain subject to the provisions of Chapter 10.01 (§ 2.1-116.01 et seq.) of Title 2.1.*